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<b>AMENDMENT TRANSMITTAL LETTER</b>			<b>After Final Rejection</b>
Application No. 10/776,656	Filing Date February 11, 2004	Examiner C. L. Miller	Group Art Unit 3738
Applicant(s): Rafail Zubok, Antonio Valdevit, Michael W. Dudasik, and Joseph P. Errico			Docket No. SPINE 3.0-455 CONT II

Invention: CERVICAL DISC REPLACEMENT

**TO THE COMMISSIONER FOR PATENTS**

Transmitted herewith is an amendment in the above-identified application.

The fee has been calculated and is transmitted as shown below.

CLAIMS AS AMENDED					
	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate	
Total Claims	18	- 20 =		x	
Independent Claims	3	- 3 =		x	
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					
Other fee (please specify):					
<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:</b>					0.00

- ☒ Large Entity ☐ Small Entity
- ☒ No additional fee is required for this amendment.
- ☐ Please charge Deposit Account No. \_\_\_\_\_ in the amount of \_\_\_\_\_.  
A duplicate copy of this sheet is enclosed.
- ☐ A check in the amount of \$ \_\_\_\_\_ to cover the filing fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge and credit Deposit Account No. 12-1095 as described below. A duplicate copy of this sheet is enclosed.
- ☒ Credit any overpayment.
- ☒ Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.

Kevin M. Kocun  
Attorney Reg. No. 54,230

Dated: January 4, 2006

LERNER, DAVID, LITTENBERG, KRUMHOLZ & MENTLIK, LLP  
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I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: January 4, 2006

Signature:

(Kevin M. Kocun)



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(Kevin M. Kocurek)

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**BOX AF**

**EXPEDITED PROCEDURE**  
Group Art Unit: 3738

Docket No.: SPINE 3.0-455 CONT II

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: :  
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Zubok et al. :   
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Application No.: 10/776,656 : Group Art Unit: 3738  
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Filed: February 11, 2004 : Examiner: C. L. Miller  
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For: CERVICAL DISC REPLACEMENT :   
:

**AMENDMENT AFTER FINAL**

MS AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action dated October 13, 2005, finally rejecting claims 1-18, please amend the above-identified U.S. patent application as follows: